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PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/762036-Conf. #3938
		Filing Date	January 21, 2004
		First Named Inventor	Stephen J. Todd, et al.
		Art Unit	2165
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	5	Attorney Docket Number	E0295.70201US00

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	WOLF GREENFIELD & SACKS, P.C.		
Signature			
Printed name	Richard F. Giunta		
Date	May 1, 2006	Reg. No.	36,149

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 1, 2006

Signature:

  
(Eileen MacKenzie)



DOCKET NO.: E0295.70201US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen J. Todd, et al.  
Serial No.: 10/762036  
Confirmation No.: 3938  
Filed: January 21, 2004  
For: METHODS AND APPARATUS FOR INDIRECTLY  
IDENTIFYING A RETENTION PERIOD FOR DATA IN A  
STORAGE SYSTEM

Examiner: Not yet assigned  
Art Unit: 2165

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15<sup>th</sup> day of May, 2006.

*Eileen MacKenzie*  
Eileen MacKenzie

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**MAIL STOP Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Atty. Docket No.</u>	<u>Inventor(s)</u>
10/731790	12/9/03	E0295.70190US00	Stephen J. Todd, et al.
10/762044	1/21/04	E0295.70195US00	Stephen J. Todd, et al.
10/761826	01/21/04	E0295.70200US00	Stephen J. Todd, et al.
10/762043	01/21/04	E0295.70202US00	Stephen J. Todd, et al.
10/910985	08/04/04	E0295.70208US00	Stephen J. Todd, et al.
10/911248	08/44/04	E0295.70212US00	Stephen J. Todd, et al.
11/022077	12/23/04	E0295.70229US00	Stephen J. Todd, et al.
11/034737	01/12/05	E0295.70238US00	Stephen J. Todd, et al.

Several of the above-referenced applications include subject matter that may be related to the present application, and some share a specification with the present application. The examiners handling the other applications have been or will be searching for relevant prior art, and in some circumstances may be taking positions about which art shows features that are similar to at least some of the features recited in the claims of the present application. Therefore, the Examiner is invited to review the file histories of the above-referenced applications to see whether there is any information that the Examiner believes may be relevant. In this respect, it is assumed that the Examiner has access to each of those files. However, if the Examiner would like any information about any of those pending applications, Applicants would be happy to provide it.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

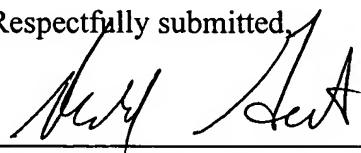
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

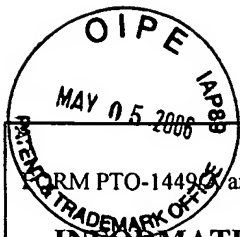
An early and favorable action is hereby requested.

Respectfully submitted,

By:

  
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Docket No.: E0295.70201US00  
Date: May 1, 2006



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/762036		ATTY. DOCKET NO.: E0295.70201US00	
				FILING DATE: January 21, 2004		CONFIRMATION NO.: 3938	
				APPLICANT: Stephen J. Todd, et al.			
				GROUP ART UNIT: 2165		EXAMINER: Not yet assigned	
Sheet	1	of	1				

#### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		2005/0055518	A1	Hochberg et al.	03/10/05
		2005/0055519	A1	Stuart et al.	03/10/05

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER:	DATE CONSIDERED:
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# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.